(d) if so, Government's reaction thereto?

THE MINISTER OF STATE IN THE MINISTRY OF LABOUR (SHRI MUNI LALL): (a) and (b) Review/updation of labour laws is a continuous process in order to bring them in tune with the prevailing situation and emerging needs of the economy. Taking into consideration the requirement of productivity, comperitiveness, employment generation and to update the provisions of labour laws, a need has been felt to make amendments in certain labour legislations and steps initiated accordingly. Thus amendments in Trade Unions Act, 1926 and the Workmen's Compensation Act, 1923 were recently carried out. A Group of Ministers on Labour Reforms has approved the amendment proposals in respect of Industrial Disputes Act, 1947 and the Payment of Wages Act, 1936. The Bills to this effect after final decision of Government are likely to be introduced in the current Session of Parliament.

(c) and (d) The Government has set up the Second National Commission on Labour with a view to suggest rationalization of existing laws relating to labour in the organized sector, and evolve and umbrella legislation for ensuring a minimum level of protection to the worker in the unorganised sector. As the Commission has been set up with a view to undertake comprehensive review of labour laws, a few amendment proposals in certain legislations to meet emerging needs of the economy do not necessarily undermine the relevance of the Commission. The report of the Commission is expected by 15.04.2002.

Conditions on Closure of Industrial Units

2009. SHRI PREM CHAND GUPTA: Will the Minister of LABOUR be pleased to state:

(a) whether it is a fact that the Supreme Court has upheld the Constitutional validity of an amendment provision in the Industrial Disputes Act (IDA) that imposes stringent condition on closure of industrial units and retrenchment of employees working there; and

(b) if so, what are Government's views on this and its impact on disinvestment plans?

THE MINISTER OF STATE IN THE MINISTRY OF LABOUR (SHRI MUNI LALL): (a) and (b) The Hon'ble Supreme Court has given a judgement in Civil Appeal No. 529 of 2002 (arising out of SLP(C) No. 6643) regarding Constitutional validity of amended Section 25-O of the Industrial Disputes Act, 1947 in the case of M/s Orissa Textile and Steel Ltd. Vs. State of Orissa and others alongwith 12 other cases.

The Apex Court has held that the amended Section 25-O provides for an inquiry after an opportunity of being heard to the employer, workmen and all interested persons, and provides that the order is to be reasoned in writing.

The Industrial Disputes Act, 1947 was amended by Industrial Disputes (Amendment) Act, 1982 (46 of 1982). This Act was enforced w.e.f. 21.8.1984. The Supreme Court has upheld the constitutional validity of Section 25-O. This judgement has no impact on the disinvestment plans at present.

Licences to the Manpower Export Agencies

2010. SHRI ANANTRAY DEVSHANKER DAVE: Will the Minister of LABOUR be pleased to state:

(a) the number of licences issued to the manpower export agencies in the country during the last two years;

(b) whether Government have received a large number of complaints against these agencies of taking away passports work permits etc. from the persons who are sent abroad by these agencies;

(c) if so, the details thereof, State-wise; and

(d) the action taken by Government against these agencies?

THE MINISTER OF STATE IN THE MINISTRY OF LABOUR (SHRI MUNI LALL): (a) Registration Certificates (Licences) were issued to 260 agents for recruitment of Indian citizens abroad on contractual basis, under the provisions of the Emigration Act, 1983, during the last two years.

(b) to (d) Complaints about taking away of passports, work permits, delayed/non-payment of wages, payments of wages less than